

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNT OF UNEXPENDED  
5 APPROPRIATIONS THAT MAY BE RETAINED BY AN AGENCY; AMENDING SECTION 17-7-304, MCA; AND  
6 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 17-7-304, MCA, is amended to read:

11 **"17-7-304. Disposal of unexpended appropriations.** (1) All money appropriated for any specific  
12 purpose except that appropriated for the university system units listed in subsection (2) and except as provided  
13 in subsection (4) must, after the expiration of the time for which appropriated, revert to the several funds and  
14 accounts from which originally appropriated. However, any unexpended balance in any specific appropriation  
15 may be used for the years for which the appropriation was made or may be used to fund the provisions of  
16 2-18-1203 through 2-18-1205 and 19-2-706 in the succeeding year.

17 (2) Except as provided in 17-2-108 and subsection (3) of this section, all money appropriated for the  
18 university of Montana campuses at Missoula, Butte, Dillon, and Helena and the Montana state university  
19 campuses at Bozeman, Billings, Havre, and Great Falls, the agricultural experiment station with central offices  
20 at Bozeman, the forest and conservation experiment station with central offices at Missoula, the cooperative  
21 extension service with central offices at Bozeman, and the bureau of mines and geology with central offices in  
22 Butte must, after the expiration of the time for which appropriated, revert to an account held by the board of  
23 regents. The board of regents is authorized to maintain a fund balance. There is a statutory appropriation, as  
24 provided in 17-7-502, to use the funds held in this account in accordance with a long-term plan for major and  
25 deferred maintenance expenditures and equipment or fixed assets purchases prepared by the affected university  
26 system units and approved by the board of regents. The affected university system units may, with the approval  
27 of the board of regents, modify the long-term plan at any time to address changing needs and priorities. The  
28 board of regents shall communicate the plan to each legislature, to the finance committee when requested by  
29 the committee, and to the office of budget and program planning.

30 (3) Subsection (2) does not apply to reversions that are the result of a reduction in spending directed

1 by the governor pursuant to 17-7-140. Any amount that is a result of a reduction in spending directed by the  
2 governor must revert to the fund or account from which it was originally appropriated.

3 (4) After the end of a fiscal year, ~~30%~~ 50% of the money appropriated to an agency for that year by the  
4 general appropriations act for personal services, operating expenses, and equipment, by fund type, and  
5 remaining unexpended and unencumbered at the end of the year may be reappropriated to be spent during the  
6 following 2 years for any purpose that is consistent with the goals and objectives of the agency. The dollar  
7 amount of the ~~30%~~ 50% amount that may be carried forward and spent must be determined by the office of  
8 budget and program planning."

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10 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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12 NEW SECTION. **Section 3. Applicability.** [This act] applies to reversions for the biennium ending June  
13 30, 2005.

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